

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

2002 MAY 22 A 9:45

CLERK'S OFFICE
AT BALTIMORE
BY _____ DEPUTY

DUNKIN' DONUTS INCORPORATED,
a Delaware Corporation,

Plaintiff,

v.

JAM AND FAMILY ENTERPRISES, INC.,
Maryland Corporation,
JOHNNY E. BRAGG, and
MARY ELLEN BRAGG,
Residents of the State of Maryland,
Defendants.

Civil Action No.: JFM 01-CV-4014

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
AT BALTIMORE
2002 MAY 22
CLERK'S OFFICE
AT BALTIMORE
BY _____ DEPUTY

CONSENT ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff Dunkin' Donuts Incorporated and Defendants Jam and Family Enterprises, Inc., Johnny E. Bragg, and Mary Ellen Bragg that Plaintiff's Motion for a Preliminary Injunction is resolved upon the following terms and conditions:

1. The Plaintiff's Motion for a Preliminary Injunction is granted to the extent agreed to herein.

2. Defendant shall cure the following violations at Defendant's Dunkin' Donuts shop located at Big Elk Shopping Center, Elkton, Maryland 21921 ("Defendants' Shop") by the dates specified below:

- (a) Bulb covers shall be installed on all basement lighting by April 6, 2002;
- (b) Basement doors shall be adequately sealed by April 6, 2002;
- (c) The legs and gaskets on the kitchen refrigerator shall be replaced by April 10, 2002;
- (d) A new cover for the glaze bin shall be installed by April 10, 2002;

(Handwritten signature)

(e) The basement rafters shall be stabilized with 2x10 support beams by April 10, 2002;

(f) New laminate shall be installed on walls and fixtures where the existing laminate is peeling by April 15, 2002;

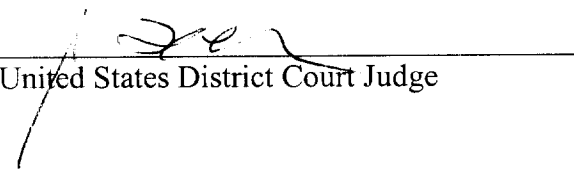
(g) A new sump pump shall be installed in the basement by May 31, 2002; and

(h) A new 'P' trap type drain shall be installed in the kitchen floor by May 8, 2002.

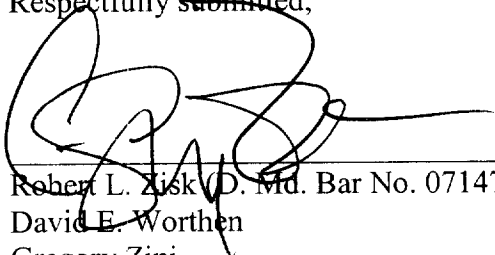
3. Defendant shall pay Plaintiff's attorneys' fees and costs incurred in this action totaling two thousand nine hundred dollars (\$2,900.00) by certified check made payable to "Dunkin' Donuts Incorporated" to be received in the office of Plaintiff's Washington, D.C., counsel, Schmeltzer, Aptaker, & Shepard, P.C., 2600 Virginia Avenue, N.W., Suite 1000, Washington, D.C. 20037-1922, by no later than May 1, 2002.

4. In the event that Defendant fails to satisfy any of its obligations under this Order and Plaintiff is required to incur additional fees and costs to enforce the terms of this Order, Defendant shall be responsible for such fees and costs in addition to the fees and costs identified in paragraph 3.

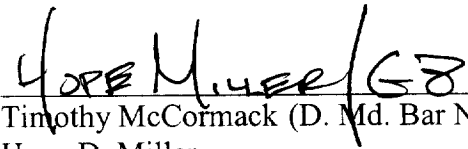
SIGNED AND ENTERED this 23rd day of May, 2002.


United States District Court Judge

Respectfully submitted,


Robert L. Zisk (D. Md. Bar No. 07147)
David E. Worthen
Gregory Zini
Schmeltzer, Aptaker & Shepard, P.C.
2600 Virginia Avenue, N.W.

Respectfully submitted,


Timothy McCormack (D. Md. Bar No. _____)
Hope D. Miller
Gordon, Feinblatt, Rothman, Hofberger
& Hollander, LLC
233 East Redwood Street

Suite 1000
Washington, D.C. 20037
(202) 333-8800

Attorneys for Plaintiff
Dunkin' Donuts Incorporated

Dated: 5/20, 2002

Baltimore, Maryland 21202
(410) 576-4000

Attorneys for Defendants
Jam and Family Enterprises, Inc, Johnny E.
Bragg, and Mary Ellen Bragg

Dated: 5/20, 2002